

JS 44C/SDNY  
REV. 2/2014

## CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

## PLAINTIFFS

GOLDEN HORN SHIPPING CO., LTD.

## DEFENDANTS

VOLANS SHIPPING CO., LTD. and NORVIK BANKA

## ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

Owen F. Duffy, Esq., 5 Penn Plaza, 19th Flr., N.Y., N.Y. 10001  
(516) 721-8793

## ATTORNEYS (IF KNOWN)

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)  
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

Breach of a Maritime Contract, with request for issuance of Process of Maritime Attachment

Has this action, case, or proceeding, or one essentially the same been previously filed in SDNY at any time? No ☐ Yes ☒ Judge Previously Assigned

If yes, was this case Vol. ☐ Invol. ☐ Dismissed. No ☐ Yes ☐ If yes, give date \_\_\_\_\_ & Case No. \_\_\_\_\_

IS THIS AN INTERNATIONAL ARBITRATION CASE? No ☒ Yes ☐

(PLACE AN [x] IN ONE BOX ONLY)

## NATURE OF SUIT

TORTS		ACTIONS UNDER STATUTES	
<b>CONTRACT</b>	<b>PERSONAL INJURY</b>	<b>PERSONAL INJURY</b>	<b>FORFEITURE/PENALTY</b>
[ ] 110 INSURANCE	[ ] 310 AIRPLANE	[ ] 362 PERSONAL INJURY -	[ ] 610 AGRICULTURE
[x] 120 MARINE	[ ] 315 AIRPLANE PRODUCT	[ ] 365 MED MALPRACTICE	[ ] 620 OTHER FOOD &
[ ] 130 MILLER ACT	[ ] 320 LIABILITY	[ ] 365 PERSONAL INJURY	[ ] 625 DRUG
[ ] 140 NEGOTIABLE	[ ] 320 ASSAULT, LIBEL &	[ ] 368 PRODUCT LIABILITY	[ ] 625 DRUG RELATED
[ ] 150 INSTRUMENT	[ ] 320 SLANDER	[ ] 368 ASBESTOS PERSONAL	[ ] 625 SEIZURE OF
[ ] 150 RECOVERY OF	[ ] 330 FEDERAL	[ ] 368 INJURY PRODUCT	[ ] 625 PROPERTY
[ ] 150 OVERPAYMENT &	[ ] 330 EMPLOYERS'	[ ] 368 LIABILITY	[ ] 630 LIQUOR LAWS
[ ] 150 ENFORCEMENT	[ ] 340 LIABILITY	[ ] 370 PERSONAL PROPERTY	[ ] 640 RR & TRUCK
[ ] 151 OF JUDGMENT	[ ] 340 MARINE	[ ] 371 TRUTH IN LENDING	[ ] 650 AIRLINE REGS
[ ] 152 MEDICARE ACT	[ ] 345 MARINE PRODUCT	[ ] 380 OTHER PERSONAL	[ ] 660 OCCUPATIONAL
[ ] 152 RECOVERY OF	[ ] 350 LIABILITY	[ ] 385 PROPERTY DAMAGE	[ ] 690 SAFETY/HEALTH
[ ] 152 DEFAULTED	[ ] 350 MOTOR VEHICLE	[ ] 385 PRODUCT LIABILITY	[ ] 690 OTHER
[ ] 152 STUDENT LOANS	[ ] 355 MOTOR VEHICLE	[ ] 385 PRODUCT LIABILITY	[ ] 690 OTHER
[ ] 152 (EXCL VETERANS)	[ ] 355 PRODUCT LIABILITY	[ ] 385 PRODUCT LIABILITY	[ ] 690 OTHER
[ ] 153 RECOVERY OF	[ ] 360 OTHER PERSONAL	[ ] 385 PRODUCT LIABILITY	[ ] 690 OTHER
[ ] 153 OVERPAYMENT	[ ] 360 INJURY	[ ] 385 PRODUCT LIABILITY	[ ] 690 OTHER
[ ] 153 OF VETERANS'		[ ] 385 PRODUCT LIABILITY	[ ] 690 OTHER
[ ] 153 BENEFITS		[ ] 385 PRODUCT LIABILITY	[ ] 690 OTHER
[ ] 160 STOCKHOLDERS		[ ] 385 PRODUCT LIABILITY	[ ] 690 OTHER
[ ] 190 SUITS		[ ] 385 PRODUCT LIABILITY	[ ] 690 OTHER
[ ] 190 OTHER		[ ] 385 PRODUCT LIABILITY	[ ] 690 OTHER
[ ] 195 CONTRACT		[ ] 385 PRODUCT LIABILITY	[ ] 690 OTHER
[ ] 195 CONTRACT		[ ] 385 PRODUCT LIABILITY	[ ] 690 OTHER
[ ] 195 PRODUCT		[ ] 385 PRODUCT LIABILITY	[ ] 690 OTHER
[ ] 195 LIABILITY		[ ] 385 PRODUCT LIABILITY	[ ] 690 OTHER
[ ] 196 FRANCHISE		[ ] 385 PRODUCT LIABILITY	[ ] 690 OTHER
	<b>ACTIONS UNDER STATUTES</b>		
	[ ] 441 VOTING		
	[ ] 442 EMPLOYMENT		
	[ ] 443 HOUSING/		
	[ ] 443 ACCOMMODATIONS		
	[ ] 444 WELFARE		
	[ ] 445 AMERICANS WITH		
	[ ] 445 DISABILITIES -		
	[ ] 445 EMPLOYMENT		
	[ ] 446 AMERICANS WITH		
	[ ] 446 DISABILITIES -OTHER		
	[ ] 440 OTHER CIVIL RIGHTS		
	(Non-Prisoner)		
<b>REAL PROPERTY</b>			
[ ] 210 LAND			
[ ] 220 CONDEMNATION			
[ ] 220 FORECLOSURE			
[ ] 230 RENT LEASE &			
[ ] 230 EJECTMENT			
[ ] 240 TORTS TO LAND			
[ ] 245 TORT PRODUCT			
[ ] 245 LIABILITY			
[ ] 290 ALL OTHER			
[ ] 290 REAL PROPERTY			
		<b>PRISONER PETITIONS</b>	
		[ ] 510 MOTIONS TO	
		[ ] 510 VACATE SENTENCE	
		[ ] 510 28 USC 2255	
		[ ] 530 HABEAS CORPUS	
		[ ] 535 DEATH PENALTY	
		[ ] 540 MANDAMUS & OTHER	
		<b>PRISONER CIVIL RIGHTS</b>	
		[ ] 550 CIVIL RIGHTS	
		[ ] 555 PRISON CONDITION	
		<b>IMMIGRATION</b>	
		[ ] 462 NATURALIZATION	
		[ ] 462 APPLICATION	
		[ ] 463 HABEAS CORPUS-	
		[ ] 463 ALIEN DETAINEE	
		[ ] 465 OTHER IMMIGRATION	
		[ ] 465 ACTIONS	
		<b>LABOR</b>	
		[ ] 710 FAIR LABOR	
		[ ] 710 STANDARDS ACT	
		[ ] 720 LABOR/MGMT	
		[ ] 720 RELATIONS	
		[ ] 730 LABOR/MGMT	
		[ ] 730 REPORTING &	
		[ ] 730 DISCLOSURE ACT	
		[ ] 740 RAILWAY LABOR ACT	
		[ ] 790 OTHER LABOR	
		[ ] 790 LITIGATION	
		[ ] 791 EMPL RET INC	
		[ ] 791 SECURITY ACT	
		<b>BANKRUPTCY</b>	
		[ ] 422 APPEAL	
		[ ] 422 28 USC 158	
		[ ] 423 WITHDRAWAL	
		[ ] 423 28 USC 157	
		<b>PROPERTY RIGHTS</b>	
		[ ] 820 COPYRIGHTS	
		[ ] 830 PATENT	
		[ ] 840 TRADEMARK	
		<b>SOCIAL SECURITY</b>	
		[ ] 861 HIA (1395f)	
		[ ] 862 BLACK LUNG (923)	
		[ ] 863 DIWC/DIWW (405(g))	
		[ ] 864 SSID TITLE XVI	
		[ ] 865 RSI (405(g))	
		<b>FEDERAL TAX SUITS</b>	
		[ ] 870 TAXES (U.S. Plaintiff or	
		[ ] 870 Defendant)	
		[ ] 871 IRS-THIRD PARTY	
		[ ] 871 26 USC 7609	
		<b>OTHER STATUTES</b>	
		[ ] 400 STATE	
		[ ] 400 REAPPORTIONMENT	
		[ ] 410 ANTITRUST	
		[ ] 430 BANKS & BANKING	
		[ ] 450 COMMERCE	
		[ ] 460 DEPORTATION	
		[ ] 470 RACKETEER INFLU-	
		[ ] 470 ENCED & CORRUPT	
		[ ] 470 ORGANIZATION ACT	
		[ ] 470 (RICO)	
		[ ] 480 CONSUMER CREDIT	
		[ ] 480 CABLE/SATELLITE TV	
		[ ] 810 SELECTIVE SERVICE	
		[ ] 850 SECURITIES/	
		[ ] 850 COMMODITIES/	
		[ ] 850 EXCHANGE	
		[ ] 875 CUSTOMER	
		[ ] 875 CHALLENGE	
		[ ] 875 12 USC 3410	
		[ ] 890 OTHER STATUTORY	
		[ ] 890 ACTIONS	
		[ ] 891 AGRICULTURAL ACTS	
		[ ] 892 ECONOMIC	
		[ ] 892 STABILIZATION ACT	
		[ ] 893 ENVIRONMENTAL	
		[ ] 893 MATTERS	
		[ ] 894 ENERGY	
		[ ] 894 ALLOCATION ACT	
		[ ] 895 FREEDOM OF	
		[ ] 895 INFORMATION ACT	
		[ ] 900 APPEAL OF FEE	
		[ ] 900 DETERMINATION	
		[ ] 900 UNDER EQUAL	
		[ ] 950 ACCESS TO JUSTICE	
		[ ] 950 CONSTITUTIONALITY	
		[ ] 950 OF STATE STATUTES	

Check if demanded in complaint:

☐ CHECK IF THIS IS A CLASS ACTION  
UNDER F.R.C.P. 23

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.?  
IF SO, STATE:

DEMAND \$3,960,693.20 OTHER \_\_\_\_\_ JUDGE \_\_\_\_\_ DOCKET NUMBER \_\_\_\_\_

Check YES only if demanded in complaint

JURY DEMAND: ☐ YES ☒ NO

NOTE: You must also submit at the time of filing the Statement of Relatedness form (Form IH-32).

(PLACE AN x IN ONE BOX ONLY)

## ORIGIN

- ☒ 1 Original Proceeding
 ☐ 2 Removed from State Court
 ☐ 3 Remanded from Appellate Court
 ☐ 4 Reinstated or Reopened
 ☐ 5 Transferred from (Specify District)
 ☐ 6 Multidistrict Litigation
 ☐ 7 Appeal to District Judge from Magistrate Judge Judgment
- ☐ a. all parties represented  
☐ b. At least one party is pro se.

(PLACE AN x IN ONE BOX ONLY)

## BASIS OF JURISDICTION

- ☐ 1 U.S. PLAINTIFF
 ☐ 2 U.S. DEFENDANT
 ☒ 3 FEDERAL QUESTION (U.S. NOT A PARTY)
 ☐ 4 DIVERSITY

IF DIVERSITY, INDICATE  
CITIZENSHIP BELOW.  
(28 USC 1332, 1441)

## CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE	PTF [ ] 1	DEF [ ] 1	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	PTF <del>[ ] 1</del>	DEF <del>[ ] 1</del>	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	PTF [ ] 5	DEF [ ] 5
CITIZEN OF ANOTHER STATE	[ ] 2	[ ] 2	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	[ ] 4	[ ] 4	FOREIGN NATION	[ ] 6	[ ] 6

## PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

404-25 Berzovaya Street, Vladivostok, 690012, The Russian Federation

## DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

Volans: Withfield Tower, 3rd Flr., 4792 Coney Drive, P.O. 1777, Belize City, Belize

Narvik Banka: 21, Ernesta Birznieka-Upisa Str., Riga, LV-1011, Latvia

## DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

Check one: THIS ACTION SHOULD BE ASSIGNED TO: ☐ WHITE PLAINS ☒ MANHATTAN  
(DO NOT check either box if this a PRISONER PETITION/PRISONER CIVIL RIGHTS COMPLAINT.)

DATE 3/27/14 SIGNATURE OF ATTORNEY OF RECORD

ADMITTED TO PRACTICE IN THIS DISTRICT

[ ] NO

☒ YES (DATE ADMITTED Mo. Jan. Yr. 1990 )

RECEIPT #

Attorney Bar Code # NY-2302156

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge \_\_\_\_\_ is so Designated.

Ruby J. Krajick, Clerk of Court by \_\_\_\_\_ Deputy Clerk, DATED \_\_\_\_\_.

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)